

### PATENT ATTORNEY DOCKET NO.: 046124-5054

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents **BOX PATENT APPLICATION**Washington, D.C. 20231

# TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a CIP Patent Application under 37 C.F.R. § 1.53(b) for:

- 3. Combined Declaration and Power of Attorney
  - [ ] Enclosed and is executed by all inventors.
  - [X] Not Enclosed.

    This application is being filed under the provisions of 37 C.F.R. § 1.53(f).

    Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)



<b>ATTORNEY</b>	<b>DOCKET NO.:</b>	046124-5054
		Page 2

4.	Langu [X] [ ]	English Non-English This application is being filed in accordance with 37 C.F.R. § 1.52(d) and § 608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.			
5.	Assignment				
	[ ] [X]	An assignment of the invention to Hamamatsu Photonics K.K. is enclosed. An assignment will be filed at a later date.			

- 6. Priority foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.
  - [X] Priority of the following foreign applications is claimed:

Country	Application No.	Filed		
Japan	P1998-171191	June 18, 1998		

Certified copy(ies): [X] is/are attached. [ ] will follow.

- 7. Priority based on an International Application
  - [X] Priority of the following international application under 35 U.S.C. § 365(c) is claimed:

Application No.	Filed		
PCT/JP99/03264	June 18, 1999		

ATTORNEY DOCKET NO.: 046124-5054
Page 3

Α.	Relate	Back -	35	U.S.	C.	8	1190	(e)
----	--------	--------	----	------	----	---	------	-----

[ ]	Amend t	he specification	by inserting before the first line the sentence:
	"This ap	plication claims	priority of copending provisional application(s)
	No.	filed on	,,

## 8. Small entity status

- [ ] A statement claiming small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
- 9. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION						
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$320.00		
Total Claims (37 C.F.R. § 1.16(c))	16 - 20 =	0	\$ 18.00 each=	\$		
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1	\$ 80.00 each=	\$ 80.00		
Multiple dependent claim(	+					
SUB-TOTAL =	\$790.00					
Reduction by 1/2 for filing by a small entity				- \$		
TOTAL FILING FEE =				\$790.00		

#### 10. Fee Payment

[X] Not Enclosed. NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

- [ ] Enclosed.
- 11. [X] Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).
- 12. Additional papers enclosed:

The state of the s

٠, ١

ť0

- [X] Submission of Priority Document with Certified Copy of JP 10-171191
- [X] Information Disclosure Statement
- [X] PTO-Form 1449, International Search Report (second sheet), and six (6) references

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 18, 2000

John G. Smith

Customer No. 009629 MORGAN, LEWIS & BOCKIUS LLP 1800 M Street, N.W. Washington, D.C. 20036 (202) 467-7000